

THE CITY OF SAN DIEGO, CALIFORNIA
MINUTES FOR REGULAR COUNCIL MEETING
OF

TUESDAY, MAY 30, 1989

AT 9:00 A.M.

IN THE COUNCIL CHAMBERS - 12TH FLOOR

CHRONOLOGY OF THE MEETING:

The meeting was called to order by Mayor O'Connor at 10:18 a.m. The meeting was recessed by Mayor O'Connor at 12:24 p.m. to reconvene at 2:00 p.m. into closed session in the twelfth floor conference room to discuss pending litigation matters.

The meeting was reconvened by Mayor O'Connor at 2:26 p.m. with Council Member Struiksma not present. Deputy Mayor McCarty adjourned the meeting at 5:49 p.m. to meet as the Redevelopment Agency.

ATTENDANCE DURING THE MEETING:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-excused by R-273788
(Official business relating to SANDAG)
- (6) Council Member Henderson-present
- (7) Council Member McCarty-present
- (8) Council Member Filner-present
- Clerk-Abdelnour (tm;eb)

FILE LOCATION: MINUTES

ITEM-1: ROLL CALL

Clerk Abdelnour called the roll:

- (M) Mayor O'Connor-present
- (1) Council Member Wolfsheimer-present
- (2) Council Member Roberts-present
- (3) Council Member McColl-present
- (4) Council Member Pratt-present
- (5) Council Member Struiksma-not present
- (6) Council Member Henderson-not present
- (7) Council Member McCarty-not present
- (8) Council Member Filner-present

ITEM-10: INVOCATION

Invocation was given by Pastor Ivan Huff of the Balboa
Avenue Christian Missionary.

FILE LOCATION: MINUTES

May-30-1989

ITEM-20: PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Council Member
Roberts.

FILE LOCATION: MINUTES

ITEM-30: PROCLAIMED

Proclaiming May, 1989 to be "Good Posture Month" and
May 15-21, 1989, to be "Chiropractic Wellness Week" in
San Diego. Presentation to Dr. James B. Cregg, D.C.,
Chairman of the Wellness Week Committee.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A033-047.)

MOTION BY PRATT TO PROCLAIM. Second by Roberts. Passed by the
following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-yea, Struiksma-not present, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

May-30-1989

ITEM-31: WELCOMED

Welcoming a group of approximately 60 students from
Sunset Elementary School, accompanied by their teacher,
Bernie Armas. This group will arrive at approximately
10:30 a.m.
(District-8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A047-069.)

May-30-1989

ITEM-32: APPROVED

Approval of Council Minutes for the Meetings of:
5/1/89
5/2/89
5/4/89 Special
5/8/89
5/9/89

FILE LOCATION: MINUTES

COUNCIL ACTION: (Tape location: A069-076.)

MOTION BY ROBERTS TO APPROVE. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-50: (O-89-218) ADOPTED AS ORDINANCE O-17305 (New Series)

Establishing a Schedule of Compensation for Officers and Employees of the City of San Diego for the Fiscal Year 1989-90.

(Introduced on 5/16/89. Council voted 7-0. District 6 and Mayor not present.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A157-163.)

CONSENT MOTION BY MCCOLL TO DISPENSE WITH THE READING AND ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-51: (O-89-212) ADOPTED AS ORDINANCE O-17306 (New Series)

(Continued from the meeting of May 16, 1989, Item 338, at the City Manager's request, to coincide with the adoption of the Mid-City Planned District Ordinance, on today's docket.)

Incorporating various properties located within the Uptown Community Plan Area, in the City of San Diego, California, into various Mid-City Communities Planned District Ordinance Zones, various R1 Zones, Institutional Overlay Zones, Community Plan Implementation Overlay Zone and Open Space Zones.

(Districts-2 and 8. Introduced as amended on 5/2/89. Council voted 6-0. Districts 5, 6 and Mayor not present.)

NOTE: See Item 52 on today's docket.

FILE LOCATION: LAND - Uptown Community Plan

COUNCIL ACTION: (Tape location: A157-163.)

CONSENT MOTION BY MCCOLL TO DISPENSE WITH THE READING AND ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksmma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-52: (O-89-211 Rev.1) ADOPTED AS ORDINANCE O-17307 (New Series)

19890530

Amending Chapter X, Article 3, Division 15, of the San Diego Municipal Code by amending Section 103.1503; by amending and renumbering Sections 103.1500, 103.1501, 103.1502, 103.1504, 103.1505, 103.1506, 103.1510; by amending, consolidating and renumbering Sections 103.1507 and 103.1508; by amending, separating and renumbering Section 103.1509; and by adding Sections 103.1506, 103.1509 and 103.1510 relating to the Mid-City Communities Planned District.

(Districts-2 and 8. Introduced as amended on 5/16/89.

Council voted 7-0. District 6 and Mayor not present.)

NOTE: See Item 51 on today's docket.

FILE LOCATION: LAND - Mid-City Communities Planned District

COUNCIL ACTION: (Tape location: A157-163.)

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND ADOPT.

Second by Pratt. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,

Struiksma-not present, Henderson-not present, McCarty-yea,

Filner-yea, Mayor O'Connor-yea.

* ITEM-53: (O-89-182) ADOPTED AS ORDINANCE O-17308 (New Series)

Incorporating a 206 net acre site located generally north of the El Camino Memorial Cemetery, east of Lusk Boulevard, west of Parkdale Avenue and south of the Los Penasquitos Canyon Reserve into Zones M-1B and M-1A.

(Case-86-0975. Mira Mesa Community Area. District-5.

Introduced on 5/16/89. Council voted 6-0. Districts 6, 8 and Mayor not present.)

FILE LOCATION: ZONE - Ord. No.

COUNCIL ACTION: (Tape location: A157-163.)

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND ADOPT.

Second by Pratt. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,

Struiksma-not present, Henderson-not present, McCarty-yea,

Filner-yea, Mayor O'Connor-yea.

* ITEM-54: (O-89-214) ADOPTED AS ORDINANCE O-17309 (New Series)

Amending Chapter VI, Article 6, Division 1, of the San Diego Municipal Code by amending Sections 66.0112, 66.0124, 66.0125 and 66.0126, relating to Refuse Disposal, to revise refuse collection, transportation, disposal and license fees and landfill disposal regulations.

(Introduced on 5/8/89. Council voted 8-0. Mayor not present.)

FILE LOCATION: DEVL - Curry Development Agreement

COUNCIL ACTION: (Tape location: A157-163.)

CONSENT MOTION BY McCOLL TO DISPENSE WITH THE READING AND ADOPT.

Second by Pratt. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-not present, Henderson-not present, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

* ITEM-100: (R-89-1996) ADOPTED AS RESOLUTION R-273554

Awarding a contract to Hanson Concrete Products, Inc. for the purchase of 100 concrete litter containers with plastic liners, for a total cost of \$31,618.50, including tax and terms. (BID-0613/89)

Aud. Cert. 8900971.

FILE LOCATION: MEET CONTFY89-1

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-101: (R-89-1995) CONTINUED TO JUNE 12, 1989

Awarding a contract to South Coast Harley-Davidson, Inc. for the purchase of 13 police motorcycles (Harley-Davidson FXRP), for a total cost of \$91,314, including tax and terms. (BID-0384/89)

Aud. Cert. 8900975.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A082-097.)

MOTION BY ROBERTS TO CONTINUE FOR TWO WEEKS AT THE REQUEST OF COUNCIL MEMBER HENDERSON. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-102: (R-89-1981) ADOPTED AS RESOLUTION R-273555

Awarding a contract to Space Master Building for the purchase of one 12 ft. X 60 ft. modular office complex for Horse Patrol personnel, for an actual cost of \$28,856.35, including tax. (BID-0523/89)

Aud. Cert. 8900968.

FILE LOCATION: MEET CONTFY89-1

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-103: (R-89-1999) ADOPTED AS RESOLUTION R-273556

Awarding a contract to The Hunting Shack, Inc. for furnishing reloaded ammunition, as may be required for a period of one year beginning July 1, 1989 through June 30, 1990, for an estimated cost of \$94,815.46, including tax and terms, with an option to renew the contract for an additional one year period. (BID-0595/89)

FILE LOCATION: MEET CONTFY89-1

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-104: (R-89-1993) ADOPTED AS RESOLUTION R-273557

Awarding a contract to MSI of Los Angeles, Inc. for the purchase of laboratory furniture for the Alvarado and Aquaculture Laboratories, for a total cost of \$93,832.85, including tax. (BID-0564/89)

Aud. Cert. 8900957.

FILE LOCATION: MEET CONTFY89-1

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-105: (R-89-2000) ADOPTED AS RESOLUTION R-273558

Awarding a contract to Environmental Care, Inc., for furnishing complete landscape maintenance of designated

center medians, rights-of-way and open space within the North City West Landscape and Lighting Maintenance District (Contract 2), as may be required for a period of 12 months beginning July 1, 1989 through June 30, 1990, for an estimated cost of \$170,200, with options to renew the contract for four additional one-year periods, with escalations for the first option year not to exceed 12.5 percent of the bid price, and escalations for the final three option years not to exceed 10 percent of prices in effect at the end of each prior year. (BID-0591/89)
(District-1.)

FILE LOCATION: STRT - M-176 CONTFY89-1

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-106: (R-89-1997) ADOPTED AS RESOLUTION R-273559

Awarding contracts for furnishing gloves, as may be required for a period of one year beginning May 1, 1989 through April 30, 1990, for an estimated cost of \$68,358.55, including tax and terms, with options to renew the contracts for one additional one year period as follows: 1) Safety West for Items 1, 2, 3, 14, 15, 16, 17, 18, 23, 24, and 25; 2) Vallen Safety Supply Co. for Items 4, 13, and 19; 3) Calolympic Glove and Safety Co., for Items 5, 6, 7, and 8; 4) G.S. Parsons Company for Items 9, 10, 11, and 12; 5) Pacific Safety Equipment Co., for Items 20, 21, and 22. (BID-0578/89)

FILE LOCATION: MEET CONTFY89-5

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-107: (R-89-1994) ADOPTED AS RESOLUTION R-273560

Awarding a contract to Valley Fish Farms for furnishing Catfish, as may be required for a period of one year beginning June 1, 1989 through May 31, 1990, for an estimated cost of \$27,600, with an option to renew the contract for two additional one year periods.

(BID-0474/89)

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-108: (R-89-1998) ADOPTED AS RESOLUTION R-273561

Awarding a contract to Reach All, Inc. for the rental of a step van with half cab and personnel bucket with 45 ft. working height, for an estimated first year total of \$32,934.64, including tax, with options to renew the rental on a month-to-month basis for two years, and options to buy at the end of each contract year. (BID-0419/89)

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-109: (R-89-2269) ADOPTED AS RESOLUTION R-273562

Inviting bids for the Elastomeric Coating of the Exterior of Serra Museum and Building 30 on Work Order No. 119379; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$54,000 from Fund 100, Department 532 for providing funds for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-0722/89)
(Old Town and Golden Hill Community Areas. Districts-2 and 8.)

CITY MANAGER SUPPORTING INFORMATION: This project is for the replacement of the existing deteriorated paint on the exterior walls of Serra Museum, Presidio Park, and Building 30, Central Operation Building.

Aud. Cert. 8900955.

FILE LOCATION: W.O. 119379 CONFY89-1

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,

Pratt-yea, Struiksma-not present, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-110: (R-89-2254) ADOPTED AS RESOLUTION R-273563

Authorizing the Purchasing Agent of the City of San Diego to advertise for bids for furnishing a police helicopter transmission in accordance with original bid specifications; authorizing the execution of a contract with the lowest responsible and reliable bidder; authorizing the expenditure of funds not to exceed \$60,000 from Fund 10232, Job Order 00201, solely and exclusively for providing funds for said project and related costs.

CITY MANAGER SUPPORTING INFORMATION: The Police Air Support Unit (ASU) maintains two helicopters in a fully operational status. Without the second aircraft it would be very difficult to maintain full-time helicopter support. This is due to the frequency of maintenance checks which are required on these types of aircraft. During a routine maintenance check on one of the police helicopters (ABLE 1) it was discovered that the main rotor transmission was defective. The aircraft must remain grounded until the part is replaced. This request will provide for that replacement.

Aud. Cert. 8900974.

FILE LOCATION: MEET CONTFY89-1

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-111: (R-89-2270) ADOPTED AS RESOLUTION R-273564

19890530

Inviting bids for Carpet Installation, 4th, 5th and 6th Floors, City Administration Building on Work Order No. 119378; authorizing the execution of a contract with the lowest responsible bidder; authorizing the expenditure of funds not to exceed \$90,000 from Fund 100, Department 532, for said project and related costs; authorizing the Auditor and Comptroller, upon advice from the administering department, to transfer excess budgeted funds, if any, to the appropriate reserves. (BID-0723/89)

(Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The fourth and

fifth floors of the City Administration Building were last carpeted in 1982, the sixth floor in 1983. The carpet is worn and stained.

Aud. Cert. 8900963.

FILE LOCATION: W.O. 119378 CONT - California Carpets CONFY89-1

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-112: (R-89-2257) ADOPTED AS RESOLUTION R-273565

Authorizing the use of City Forces from the General Services Department to pave Fiesta Island Sludge Bed No. 22, in accordance with City Charter Section 94 and San Diego Municipal Code Section 22.0210.2; authorizing the expenditure of an amount not to exceed \$101,000 from Sewerage Utility Revenue Fund No. 41506 for the purpose of providing funds for the above project.

(Mission Bay Community Area. District-6.)

CITY MANAGER SUPPORTING INFORMATION: Construction of a Pilot Composting Facility at Fiesta Island was approved by the California Coastal Commission on April 12, 1989. In this regard, approximately 90,000 sq. ft. of Drying Bed No. 22 of the sludge dewatering facility must be paved. Estimates received from private contractors have ranged from \$180,000 to \$300,000 to perform this project. It is estimated that City Forces from the General Services Department can complete the job at a cost of approximately \$101,000 (includes labor, equipment and material).

Municipal Code Section 22.0210.2 states that City Forces shall not be used on public works projects if the cost exceeds \$5,000 unless approved by Council. In addition, City Charter Section 94 states that the Council may order construction or repair work by City Forces when it is estimated that the repair work can be done more economically than if let by contract.

Aud. Cert. 8900956.

WU-U-89-162.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-113:

Two actions relative to the final subdivision map of Lusk Mira Mesa Business Park East I, Unit No. 4, a 5-lot subdivision located southwesterly of Mira Mesa Blvd. and Mesa Rim Road:
(Mira Mesa Community Area. District-5.)

Subitem-A: (R-89-2235) ADOPTED AS RESOLUTION R-273566

Authorizing the execution of a Subdivision Improvement Agreement with Lusk-Smith/Mira Mesa North for the installation and completion of public improvements.

Subitem-B: (R-89-2234) ADOPTED AS RESOLUTION R-273567

Approving the final map.

FILE LOCATION: SUBD - Lusk Mira Mesa Business Park East I,
Unit No. 4 CONFY89-1

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-114:

Three actions relative to the final subdivision map of Scripps Eastview Unit No. 4 a 102-lot subdivision located northwesterly of Pomerado Road and Spring Canyon:
(Scripps Miramar Ranch Community Area. District-5.)

Subitem-A: (R-89-2199) ADOPTED AS RESOLUTION R-273568

Authorizing the execution of a Subdivision Improvement Agreement with ITEC Properties for the installation and completion of public improvements.

Subitem-B: (R-89-2198) ADOPTED AS RESOLUTION R-273569

Approving the final map.

Subitem-C: (R-89-2200) ADOPTED AS RESOLUTION R-273570

Approving the acceptance by the City Manager of a grant deed of ITEC Properties granting to the City Lots 98, 99, 100, 101 and 102 of Scripps Eastview Unit 4.

FILE LOCATION:

Subitems-A&B - SUBD - Scripps Eastview Unit No. 4

Subitem-C - DEED - F-4925 CONFY89-1
DEEDFY89-1

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-115:

Two actions relative to the Calle Cristobal Landscape and Lighting Maintenance District:
(Mira Mesa Community Area. District-5.)

Subitem-A: (R-89-2193) ADOPTED AS RESOLUTION R-273571
Resolution of Intention to levy and collect assessments in the Calle Cristobal Landscape and Lighting Maintenance District.

Subitem-B: (R-89-2194) ADOPTED AS RESOLUTION R-273572
Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The Calle Cristobal Landscape and Lighting Maintenance District was established in 1987 to provide maintenance for landscaped medians, streetscapes and the street side of the sound attenuator wall along Calle Cristobal within the district boundaries. Assessments were levied and collected for Fiscal Year 1989. However, due to delays in the developer's implementation schedule and changes in landscaping concept and plans, no maintenance was provided in Fiscal Year 1989 and none is scheduled for Fiscal Year 1990. The district account balance of \$70,000, an estimated interest amount of \$3,000, and Environmental Growth Fund contribution of \$5,450, a total of \$78,450 will be carried over to the following fiscal year's budget. The amount assessed to the district for Fiscal Year 1990 = \$0.

FILE LOCATION: STRT - M-182

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-116:

Two actions relative to the Mira Mesa Landscape
Maintenance District:
(Mira Mesa Community Area. District-5.)

Subitem-A: (R-89-2146) ADOPTED AS RESOLUTION R-273573
Resolution of Intention to levy and collect assessments in
the Mira Mesa Landscape Maintenance District.

Subitem-B: (R-89-2147) ADOPTED AS RESOLUTION R-273574
Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing
establishes the annual assessment for the Mira Mesa Landscape
Maintenance District. The district provides for the maintenance
of landscaped and paved medians, street lights and streetscapes
within the community. The Fiscal Year 1990 proposed maintenance
costs for the district are as follows:

| | |
|------------------------------|-----------|
| Contractual Maintenance | \$71,500 |
| Personnel | 9,805 |
| Water and Electric Service | 8,100 |
| Incidentals | 13,738 |
| Total Expenses | \$103,143 |
| Reserve | 10,706 |
| Total | \$113,849 |
| Less Carry-over and Interest | 18,500 |
| Less City Contribution | 19,767 |
| Assessed to District | \$ 75,582 |

The assessment amount per unit for Fiscal Year 1990 is \$3.00,
compared to \$1.70 for Fiscal Year 1989. The increase is due to
major additions of relandscaped medians on Mira Mesa Boulevard
from Black Mountain Road to Parkdale Avenue, including the
increase in utility charges for the irrigation systems and
street lighting.

FILE LOCATION: STRT M-178

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-yea, Struiksma-not present, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-117:

Two actions relative to the Newport Avenue Landscape
Maintenance District:
(Ocean Beach Community Area. District-2.)

Subitem-A: (R-89-2158) ADOPTED AS RESOLUTION R-273575
Resolution of Intention to levy and collect assessments in
the Newport Avenue Landscape Maintenance District.

Subitem-B: (R-89-2159) ADOPTED AS RESOLUTION R-273576
Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the assessments for the maintenance of landscaping improvements within the district for Fiscal Year 1990. The improvements were provided as part of an overall commercial revitalization program in the area. It is estimated that maintenance operations will become necessary and will be provided the second half of Fiscal Year 1990. The proposed maintenance costs for the landscaped areas to be maintained by the district during the last six months of Fiscal Year 1990 are as follows:

| | |
|------------------------------|----------|
| Contractual Maintenance | \$ 4,850 |
| Personnel | 3,141 |
| Utilities | 600 |
| Incidentals | 2,257 |
| Total Expenses | \$10,848 |
| Reserve | 1,085 |
| Total | \$11,933 |
| Less Carry-over and Interest | 200 |
| Less City Contribution | |
| -0-Assessed to District | \$11,733 |

The assessments for the last six months of the fiscal year correspond to approximately \$3.50 per frontage foot, along Newport Avenue. This is the first year assessments are being levied in this district.

FILE LOCATION: STRT - M-181

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-118:

Two actions relative to the North City West Landscape and Lighting Maintenance District:
(North City West Community Area. District-1.)

Subitem-A: (R-89-2164) ADOPTED AS RESOLUTION R-273577
Resolution of Intention to levy and collect assessments in

the North City West Landscape and Lighting Maintenance District.

Subitem-B: (R-89-2165) ADOPTED AS RESOLUTION R-273578

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessments for the North City West Landscape and Lighting Maintenance District. The district provides maintenance for approximately 210 acres of open space in addition to medians, streetscapes, slopes within the district areas. The Fiscal Year 1990 proposed maintenance costs for the district are as follows:

| | |
|------------------------------|-----------|
| Contractual Maintenance | \$394,000 |
| Personnel | 39,216 |
| Utilities | 100,800 |
| Incidentals | 55,928 |
| Total Expenses | \$589,944 |
| Reserve | 60,563 |
| Total | \$650,507 |
| Less Carry-over and Interest | 37,500 |
| Less City Contribution | 27,899 |
| Assessed to District | \$585,108 |

The total amount assessed to the district in Fiscal Year 1989 was approximately \$200,000. The increase in the Fiscal Year 1990 assessment is due to and reflects a more than 200 percent increase of the district's assets, with the consequent increases in contractual, utility and incidental costs, and a larger reserve amount. Due to the enlarged base of assessable units, however, the proposed unit assessments for Fiscal Year 1990 will be approximately the same as the previous fiscal year, approximately \$110 per residential unit.

FILE LOCATION: STRT - M-176

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-119:

Two actions relative to the Park Village Landscape Maintenance District:
(Penasquitos East Community Area. District-1.)

Subitem-A: (R-89-2152) ADOPTED AS RESOLUTION R-273579

Resolution of Intention to levy and collect assessments in the Park Village Landscape Maintenance District.

Subitem-B: (R-89-2153) ADOPTED AS RESOLUTION R-273580

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the assessments for the maintenance of landscaped medians and slopes in the Park Village Landscape Maintenance District for the Fiscal Year 1990. The developer of the subdivision will continue to provide all necessary maintenance for any newly landscaped areas until they are turned over to and accepted by the district. The proposed maintenance costs for the landscaped areas to be maintained by the district during Fiscal Year 1990 are as follows:

| | |
|----------------------------|----------|
| Contractual Maintenance | \$52,245 |
| Personnel | 5,883 |
| Utilities | 14,700 |
| Incidentals | 10,478 |
| Total Expense | \$83,306 |
| Reserve | 8,566 |
| Total | \$91,872 |
| Less Carry-over & Interest | 200 |
| Less City Contribution | 7,482 |
| Assessed to District | \$84,190 |

Assessments for Fiscal Year 1990 correspond to approximately \$26 per dwelling unit compared to \$21 for Fiscal Year 1989. The increase in the assessment this fiscal year reflects a modest increase in the cost of contractual services and a larger increase in the water costs based on actual charges during the Fiscal Year 1989 period.

FILE LOCATION: STRT - M-177

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-120:

Two actions relative to the Penasquitos East Landscape Maintenance District:
(Penasquitos East Community Area. District-1.)

Subitem-A: (R-89-2155) ADOPTED AS RESOLUTION R-273581

Resolution of Intention to levy and collect assessments in

the Penasquitos East Landscape Maintenance District.

Subitem-B: (R-89-2156) ADOPTED AS RESOLUTION R-273582

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessment for the Penasquitos East Landscape Maintenance District. The district provides for the maintenance of landscaped medians and open space within the district. The Fiscal Year 1990 proposed maintenance costs for the district are as follows:

| | |
|------------------------------|----------|
| Contractual Maintenance | \$37,500 |
| Personnel | 9,805 |
| Utilities | 12,000 |
| Incidentals | 13,677 |
| Total Expenses | \$72,982 |
| Reserve | 24,165 |
| Total | \$97,147 |
| Less Carry-over and Interest | 24,535 |
| Less City Contribution | 11,136 |
| Assessed to District | \$61,476 |

The annual assessment for Fiscal Year 1990 will be approximately \$5.10 per unit, compared to \$4.80 for Fiscal Year 1989.

FILE LOCATION: STRT - M-180

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-121:

Two actions relative to the Scripps-Miramar Ranch Landscape and Lighting Maintenance District:
(Scripps-Miramar Ranch Community Area. District-5.)

Subitem-A: (R-89-2094) ADOPTED AS RESOLUTION R-273583

Resolution of Intention to levy and collect assessments in the Scripps-Miramar Ranch Landscape and Lighting Maintenance District.

Subitem-B: (R-89-2144) ADOPTED AS RESOLUTION R-273584

Approving the City Engineer's Report.

CITY MANAGER SUPPORTING INFORMATION: The public hearing establishes the annual assessment for the Scripps-Miramar Ranch Landscape and Lighting Maintenance District. The district

provides landscape maintenance for open space and center islands, and maintenance for street light standards.

The Fiscal Year 1990 proposed maintenance costs for the district are as follows:

| | |
|----------------------------|------------|
| Contractual Maintenance | \$ 144,774 |
| Personnel | 39,230 |
| Utilities | 36,950 |
| Incidentals | 31,243 |
| Total Expenses | \$ 252,197 |
| Reserve | 68,921 |
| Total | \$ 321,118 |
| Less Carry-over & Interest | 141,000 |
| Less City Contribution | 12,470 |
| Assessed to District | \$ 167,648 |

The proposed unit assessment for Fiscal Year 1990 is \$32, as compared to \$31 for Fiscal Year 1989.

FILE LOCATION: STRT - M-184

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-122: (R-89-2248) ADOPTED AS RESOLUTION R-273585

Setting aside and dedicating portions of Sections 26 through 36, Township 18 South, Range 1 West, San Bernardino Base and Meridian as and for public streets and naming the same Otay Mesa Road and State Route 125.

(Otay Mesa Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: In September 1982, the City Council authorized the acquisition of the right-of-way for the Otay Mesa Road Project consisting of 46 parcels of land to widen and/or realign and construct an 80-foot wide street as an interim access road to the Second Border Crossing. The right-of-way acquisition has now been completed by negotiation and condemnation. The improvements have also been completed. The right-of-way now must be dedicated so that a portion of Otay Mesa Road can be turned over to the State to be maintained as a State highway.

FILE LOCATION: DEED - F-4926 DEEDFY89-1

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present,

McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-123: CONTINUED TO JUNE 12, 1989

Two actions relative to Tax Anticipation Notes - Fiscal Year 1989-1990:

Subitem-A: (R-89-2191)

Authorizing the City Manager to negotiate an agreement with the Bank of America for the purchase, marketing and issuance of Tax Anticipation Notes for Fiscal Year 1989-1990 in an amount not to exceed \$60,000,000; declaring that the Council certifies, ratifies and approves the declarations, undertakings, obligations and documents, in the same or substantially similar form as approved, as if the same were fully set forth within the text of the resolution and incorporated.

Subitem-B: (R-89-2197)

Authorizing the execution of an agreement with the law firm of Stradling, Yocca, Carlson and Rauth, P.C. to serve as bond counsel for the City's Tax and Revenue Anticipation Notes issuance; authorizing the expenditure of an amount not to exceed \$20,000 from Fund No. 65013 for the purpose of providing funds for the above Retainer Agreement; authorizing the City Auditor and Comptroller to remit unexpended funds, if any, to the appropriate reserves upon advice of the administering department.

CITY MANAGER SUPPORTING INFORMATION: Each year the City of San Diego issues short-term notes to fund temporary cash deficits experienced during the year in the City's General Fund. Last year the City issued \$28,000,000 worth of notes. In 1987-88, \$5,000,000 worth of notes were issued. At this time, it is anticipated that we will be able to issue approximately \$30,000,000 worth of notes on July 1, and possibly \$10,000,000 more in a Series B issue in early November. The determination of the actual issue sizes and whether a Series B is necessary will be made just prior to the July and November issue dates based upon current estimates of cash requirements. The City Treasurer received nine proposals to serve as underwriter in response to a Request for Proposal issued in April. Bank of America was selected as underwriter based upon pricing of services and the experience of the firm in the tax anticipation note market.

Aud. Cert. 9000020.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A097-114.)

MOTION BY ROBERTS TO CONTINUE TO JUNE 12, 1989 AT THE REQUEST OF THE CITY MANAGER FOR FURTHER REVIEW. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-124: (R-89-2299) ADOPTED AS RESOLUTION R-273586

A Resolution approved by the City Council in Closed Session on Tuesday, May 2, 1989 by the following vote:

Wolfsheimer-yea; Roberts-yea; McColl-yea; Pratt-yea; Struiksma-not present; Henderson-yea; McCarty-yea; Filner-not present; Mayor-yea.

Authorizing the City Manager to pay the total sum of \$406,000 as to plaintiffs Ali and Esmet Tashkorian and Plaintiff-In-Intervention National American Insurance Company in the settlement of each and every claim against the City, its agents and employees, resulting from damages due to land subsidence to the real property at 1588 Nautilus Street, San Diego (Superior Court Case No. 542573, Tashkorian, et al. v. City of San Diego, et al.); authorizing the City Auditor and Comptroller to issue one check in the amount of \$406,000 made payable to Ali Esmet Tashkorian, and their attorney of record, Richard Elliott of McInnis, Fitzgerald, Rees, Sharkey and McInyre in full settlement of the lawsuit and all claims.

CITY MANAGER SUPPORTING INFORMATION: This constitutes the complete and final settlement of the property damage claim of Ali and Esmet Tashkorian.

Aud. Cert. 8900972.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY MCCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-125: (R-89-2180) ADOPTED AS RESOLUTION R-273587

Establishing a parking time limit of 2 hours between the hours of 8:00 a.m. and 6:00 p.m., Sundays and certain holidays excepted, on the east side of Park Boulevard between Polk Avenue and Howard Avenue; authorizing the

installation of the necessary signs and markings; declaring that the hereinabove imposed regulations shall become effective upon the installation of such signs.

(Greater North Park Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: The proposed time limit parking zone was petitioned by 83 percent of the abutting property owners. Recent parking studies determined the average parking occupancy to be over 75 percent and the average parking duration to be 3.2 hours. This location is adjacent to other 2-hour time limit parking zones that receive a high level of enforcement. This meets the requirements of Council Policy 200-4. Therefore, this parking restriction is recommended for implementation.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-126: (R-89-2246) ADOPTED AS RESOLUTION R-273588

Authorizing the execution of a fourth amendment to the agreement with American Newland Associates, which amendment: (1) acknowledges that American Newland Associates is successor in interest to Genstar Development, Inc.; (2) adjusts the acreage sizes of both parcels of land involved in the Penasquitos Canyon Land exchange; (3) extends the close of escrow to September 30, 1991; (4) approves the Preliminary Title Reports; and (5) recomputes interest owed by American Newland Associates on the "cash difference" to new close of escrow date.

(Sorrento Hills/Penasquitos East Community Area.
District-1.)

CITY MANAGER SUPPORTING INFORMATION: This fourth amendment to the original exchange agreement provides for the following:

1. Acknowledges that American Newland Associates, a California General Partnership, is successor in interest to Genstar Development, Inc., in the original agreement.
2. Based on recent surveys, in the area, adjusts the legal descriptions and acreage sizes of the City parcel from 162.59 acres to 155.465 acres and the Newland parcel from 289.45 acres to 287.668 acres while leaving the agreed on market values the same. This represents a

net benefit to the City of approximately \$205,000.

3. Extends the close of escrow to September 30, 1991, to allow the City and Newland additional time to process actions required by the agreements.
4. Recomputes the interest on the "cash difference" owed by Newland due to the extension of the escrow. This will amount to approximately \$299,000 in additional interest to the City for the term of the extension.
5. Approves Preliminary Title Reports on both parcels.

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-127: (R-89-2201) ADOPTED AS RESOLUTION R-273589

Authorizing the execution of an agreement with Federhart and Associates for traffic engineering consultant services, as needed, for the City's Water Utilities Department; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$25,000 from the Water Revenue Fund No. 41502, Unallocated Reserve No. 70679 to the Water Operating Fund No. 41500, Water Operations Engineering Program No. 70830; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$25,000 within the Sewer Revenue Fund No. 41506, from the Unallocated Reserve No. 70679 to the Sewer Operations Engineering Program No. 70820; authorizing the expenditure of an amount not to exceed \$50,000 consisting of \$25,000 from the Water Operating Fund No. 41500, Water Operations Engineering Program 70830 and \$25,000 from the Sewer Revenue Fund No. 41506, Sewer Operating Engineering Program No. 70820, for the purpose of providing funds for the above agreement.

CITY MANAGER SUPPORTING INFORMATION: On October 21, 1988, an advertisement was placed in the San Diego Daily Transcript for Traffic Engineering Consultant Services to be provided, as needed, for the Water Utilities Department. These services would include the development of construction zone traffic control plans. The City's Consultant Nominating Committee reviewed the letters of interest from three qualified consultants, none of which were WBE or MBE firms. The nominating committee nominated all three firms to participate in

a final interview by a consultant selection committee comprised of personnel from the Water Utilities Department. The interviews were conducted in conformance with Council Policy 300-7. The firm of Federhart and Associates was selected as best qualified to provide the consultant services. The agreement will provide for the services by task orders on an hourly fee basis not to exceed \$10,000. The total contract shall not exceed \$50,000. The agreement will terminate one year from the date of execution by the City Manager. Due to the limited scope of work and the limit of \$10,000 per task, it is unlikely that services of any subconsultants would be warranted. Aud. Cert. 8900936.
WU-U-89-133.

FILE LOCATION: MEET CCONFY89-1

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-128: (R-89-1833) ADOPTED AS RESOLUTION R-273590

Authorizing the execution of an agreement with Luke-Dudek Civil Engineers, Inc. for engineering consultant services regarding the reconstruction of Sewer Pump Station No. 5; authorizing the expenditure of an amount not to exceed \$116,500 from the Sewer Revenue Fund (No. 41506), Annual Allocation for Pump Station Restorations (CIP-46-106), for the purpose of providing funds for the above services.

(Barrio Logan/Harbor 101 Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: Sewer Pump Station No. 5 was constructed in 1942 and now serves approximately 200 acres of residential, commercial, and industrial property, including the San Diego Convention Center, in the Barrio Logan area. The existing pump station consists of seven pumps, of which two are operational. The operational pumps have a rated capacity of 2,000 GPM each. The manufacturer of the existing functional pumps is no longer in business; therefore, custom made parts are required for repairs. The existing pump station is structurally substandard and unsuitable for use as a sewer pump station. The consultant for this project will prepare detailed plans, specifications and cost estimates for the design of the new pump station, new pumps and appurtenances, and determine the feasibility of converting the existing pump station to parts storage. Technical services during construction and special

engineering services are also included in this contract.

Proposals for the reconstruction of Sewer Pump Station No. 5 were requested from three firms. These firms were selected from the "As-needed" list of civil engineers, short-listed by the Consultant Nominating Committee on August 25, 1988. The Water Utilities Department interviewed the three firms on September 19, 1988, in conformance with Council Policy 300-7, and selected the firm of Luke-Dudek Civil Engineers, Inc. to perform the reconstruction design work. The subconsultant for this project is Kanrad Engineering, Inc., an MBE, with 22.7 percent of the contract.

Aud. Cert. 8900787 Rev.

WU-U-89-102.

FILE LOCATION: MEET CCONFY89-1

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-200: CONTINUED TO JUNE 5, 1989

Three actions relative to Meet and Confer items:

Subitem-A: (R-89-2231)

Approving the classification of personnel eligible for the Management Benefits Plan.

Subitem-B: (R-89-2232)

Approving the classifications of personnel in the Classified Service of the City of San Diego eligible for premium or regular rate overtime.

Subitem-C: (R-89-2233)

Amending the Employee Representation Units.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A153-157.)

MOTION BY ROBERTS TO CONTINUE FOR ONE WEEK AT THE REQUEST OF CITY ATTORNEY WITT FOR FURTHER REVIEW. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-201: (R-89-2241) ADOPTED AS RESOLUTION R-273591

Authorizing the Centre City Development Corporation, on behalf of the City, to submit applications for SB140 State share funds for eligible projects within Zones B, C, D, F, K and L in the Linear Park Plan.

(See Memorandum from CCDC Executive Vice President dated 5/5/89. Centre City Community Area. District-8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B375-439.)

MOTION BY FILNER TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-202:

Three actions relative to the proposed State Route 15 design concept:

Subitem-A: (R-89-2258) ADOPTED AS RESOLUTION R-273615
Adoption of a Resolution certifying Environmental Mitigated Negative Declaration EMND-89-0162 for the proposed State Route 15 design concept.

Subitem-B: (R-89-2259) ADOPTED AS RESOLUTION R-273616
Adoption of a Resolution authorizing the City Manager to negotiate a cooperative agreement with CalTrans based on a list of proposed terms.

Subitem-C: (R-89-2260) ADOPTED AS RESOLUTION R-273617
Adoption of a Resolution authorizing the City Manager to negotiate a Memorandum of Understanding with CalTrans.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A124-153; B535-C627; D019-314.)

MOTION BY McCARTY TO APPROVE AND TO DIRECT STAFF TO TAKE INTO CONSIDERATION THE PUBLIC TESTIMONY TAKEN IN THE MORNING MEETING OF MAY 30, 1989 WHEN NEGOTIATING THE MEMORANDUM OF

UNDERSTANDING

WITH CALTRANS. Second by Roberts. Trilled to the afternoon session.

The vote was taken in the afternoon which passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-ineligible, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-203: (R-89-2192) ADOPTED AS RESOLUTION R-273592

Authorizing the execution of a contractual agreement with Mudge Rose Guthrie Alexander and Ferdon to provide bond counsel services in connection with the Balboa Park Capital Improvements Program; authorizing the execution of a contractual agreement with Evensen and Dodge, Inc./Charles A. Bell Securities Corp./HHK Associates to provide financial advisory services in connection with the Balboa Park Capital Improvements Program; authorizing the expenditure of an amount not to exceed \$30,000 from Fund No. 102242, for the purpose of providing funds for the above agreement; authorizing the City Auditor and Comptroller to remit unexpended funds, if any, to the appropriate reserves upon advice of the administering department.

(City Manager Report CMR-89-246. Balboa Park Community Area. District-8.)

Aud. Cert. 8900965.

FILE LOCATION: MEET CCONFY89-4

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-204: (R-89-2256) ADOPTED AS RESOLUTION R-273593

Designating a Redevelopment Survey Area for North Park; authorizing a study of the feasibility of a Redevelopment Project or Projects within the survey area. (See City Manager Report CMR-89-245. Greater North Park Community Area. District-3.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B466-535.)

MOTION BY McCOLL TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-205: (R-89-2245) ADOPTED AS RESOLUTION R-273594

Designating a Redevelopment Survey Area for Mid-City; authorizing a study of the feasibility of a Redevelopment Project or Projects within the survey area. (See City Manager Report CMR-89-237. Mid-City Community Area. Districts-3 and 8.)

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: B466-535.)

MOTION BY ROBERTS TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-ineligible, Pratt-yea, Struiksmma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-206:

(Continued from the meeting of May 16, 1989, Item ND-1, at Council Member Roberts' request, for a public hearing.)
Three actions relative to the Telecommunication Request for Proposal:

Subitem-A: (R-89-2375) ADOPTED AS RESOLUTION R-273618

NOTE: This action was reconsidered on June 5, 1989 and taken as S502a on June 6, 1989.

Requesting San Diego Data Processing Corporation and San Diego Convention Center Corporation to bifurcate the telecommunication services bid package so that the Convention Center's requirements may proceed expeditiously.

Subitem-B: (R-89-2376) FILED

NOTE: This action was reconsidered on June 5, 1989 and taken as S502b on June 6, 1989.

Terminating the operating agreement between the City of San Diego and San Diego Data Processing Corporation for provision of data processing and telecommunication services, pursuant to paragraph 13(b) (3) of the basic operating agreement.

Subitem-C: (R-89-2377) ADOPTED AS RESOLUTION R-273620

NOTE: This action was reconsidered on June 5, 1989 and taken as S502c on June 6, 1989.

Requesting San Diego Data Processing Corporation to take all necessary and appropriate action to secure a final and best response to the Request For Proposal (RFP) for telecommunication services from responding vendors.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: D441-450, D477-G241.)

MOTION BY WOLFSHEIMER TO ADOPT SUBITEM-A TO BIFURCATE THE BID AND TO PROCEED WITH THE TELECOMMUNICATION SERVICES FOR THE CONVENTION CENTER, FILE SUBITEM-B, ADOPT SUBITEM-C, AND REQUEST THE SAN DIEGO DATA PROCESSING CORPORATION TO FORM A COMMITTEE OF

EXPERTS TO LOOK AT THE ASSUMPTIONS, INCLUDING STAFFING, AND OTHER CONCERNS OF COUNCIL MEMBERS AS TO COST AND THE FORMULA APPLIED IN THE BID, AND REPORT TO COUNCIL ON OR BEFORE JULY 17, 1989. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-330: CONTINUED TO JULY 25, 1989, 2:00 P.M.

(Continued from the meetings of September 13, 1988, Item 339, October 31, 1988, Item 203, December 12, 1988, Item 205, January 23, 1989, Item 206 and February 27, 1989, Item 205; last continued at Council Member Struiksma's request, for further review.)

An amendment to the Scripps Miramar Ranch Community Plan to designate seventeen acres south of Pomerado Road in Carroll Canyon on the United States International University (USIU) Campus for a resource-based park. (District-5.)

Subitem-A: (R-89-)

Adoption of a Resolution certifying that the information contained in Environmental Negative Declaration END-88-0129 has been completed in compliance with the California Environmental Quality Act of 1970, and State guidelines, and that said Declaration has been reviewed and considered by the Council.

Subitem-B: (R-89-)

Adoption of a Resolution amending the community plan.

FILE LOCATION:

Subitems A and B LAND-Scripps Miramar Ranch
Community Plan

COUNCIL ACTION: (Tape location: G242-250.)

MOTION BY PRATT TO CONTINUE TO JULY 25, 1989, 2:00 P.M. AT THE REQUEST OF COUNCIL MEMBER STRUIKSMA. Second by McColl. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea present, McCarty-yea, Filner-not present, Mayor O'Connor-yea.

ITEM-331: (O-89-204) CONTINUED TO JUNE 6, 1989, 2:00 P.M.

Proposal to amend the San Diego Municipal Code, Chapter X,

Article 1, Division 1, Section 101.0101 to define residential care facilities and Division 5, Sections 101.0510.C.1.o and 101.0510.3.m, to amend the Conditional Use Permit for residential care facilities to include locational criteria which will require a 600-foot separation between all residential care facilities, and development and parking standards. Since the Conditional Use Permit Ordinance is applicable in the Coastal Zone, this action will also constitute an amendment to the City's Local Coastal Program.

(Citywide.)

Introduction of an Ordinance amending the San Diego Municipal Code.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: G342-H326.)

Hearing began 4:59 p.m. and halted 5:40 p.m.

Testimony in favor by Verna Quinn, George Stevens, Denise Moreno Ducheny, Dolores Celia, Earli Williams, and Michel Anderson.

Testimony in opposition by Barbara Carmint and Blacher Davidson.

The hearing was closed.

MOTION BY HENDERSON TO CONTINUE TO JUNE 6, 1989, 2:00 P.M. AT MAYOR O'CONNOR'S REQUEST FOR FURTHER REVIEW AND DIRECT THE PLANNING DEPARTMENT TO WORK WITH THE COMMUNITY TO PROVIDE ADDRESSES OF KNOWN CARE FACILITIES FOR 6 OR UNDER, INCLUDING DRUG REHABILITATION, AND TO REVIEW THE IMPACTS. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-nay, Mayor O'Connor-not present.

ITEM-332: UNFINISHED BUSINESS TO JUNE 5, 1989

19890530

Two actions relative to the vacation of "C" Street between India Street and Kettner Boulevard:

(See City Manager Report CMR-89-227. Centre City Community Area. District-8.)

Subitem-A: (R-89-2176)

Vacation of "C" Street between India Street and Kettner Boulevard.

Subitem-B: (R-89-2186)

Certifying that the information contained in Environmental

Secondary Study for the proposed Great American Plaza, has been completed in compliance with the California Environmental Quality Act of 1970, as amended, and State guidelines, and has been reviewed and considered by the Council.

FILE LOCATION:

Subitems A and B STRT J-2719 and DEED F-4919

COUNCIL ACTION: (Tape location: H328-442.)

Hearing began 5:41 p.m. and halted 5:48 p.m.

Testimony in favor of the street vacation by Allen Haynie.

MOTION BY HENDERSON TO APPROVE ITEMS 332, 333, AND 334. Second by Roberts. Failed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-not present.

ITEM-333: (R-89-2242) UNFINISHED BUSINESS TO JUNE 5, 1989,
2:00 P.M.

Authorizing the sale by negotiation of City-owned portion of "C" Street between Kettner Boulevard and India Street for the amount of \$1,760,000 to the Redevelopment Agency of the City of San Diego; authorizing the execution of a grant deed, granting to the Redevelopment Agency of the City of San Diego all that portion of "C" Street between Kettner Boulevard and India Street; declaring that no broker's commission shall be paid by the City on the above negotiated sale.

(See City Manager Reports CMR-89-249 and CMR-89-227.
Centre City Community Area. District-8.)

FILE LOCATION: --

COUNCIL ACTION: (Tape location: H328-442.)

Hearing began 5:41 p.m. and halted 5:48 p.m.

Testimony in favor of the street vacation by Allen Haynie.

MOTION BY HENDERSON TO APPROVE ITEMS 332, 333, AND 334. Second by Roberts. Failed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-not present.

ITEM-334: (R-89-2067) UNFINISHED BUSINESS TO JUNE 5, 1989,
2:00 P.M.

Authorizing the execution of an encroachment removal

agreement with Broadway, Kettner Associates, Inc. and Starboard Station, Inc., for the construction of private underground facilities in the public right-of-way for the development of Great American Plaza.

(Bounded by Broadway, "B" Street, India Street and Kettner Boulevard. Centre City Community Area. District-8.)

CITY MANAGER SUPPORTING INFORMATION: The developer of the Great American Plaza has applied for a permit to construct a permanent underground parking structure located between Broadway, "B" Street, India Street and Kettner Boulevard. This structure encroaches approximately three feet in Broadway and "B" Street; six feet in Kettner Boulevard; and nine feet in India Street. This encroachment will not conflict with the existing underground utilities or the surface improvements in the adjacent streets. A development agreement for the Great American Plaza was approved by the City Council on February 28, 1989. The approval of this Encroachment Removal Agreement is recommended since it is consistent with Council Policy 700-18.

FILE LOCATION: --

COUNCIL ACTION: (Tape location: H328-442.)

Hearing began 5:41 p.m. and halted 5:48 p.m.

Testimony in favor of the street vacation by Allen Haynie.

MOTION BY HENDERSON TO APPROVE ITEMS 332, 333, AND 334. Second by Roberts. Failed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-not present, Pratt-not present, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-not present.

ITEM-S400: (R-89-2369) ADOPTED AS RESOLUTION R-273595

Declaring the week of May 22 through 26, 1989 to be "Refugee Mutual Assistance Association Recognition Week" in recognition of the dedicated and inspiring work being accomplished by the Indochinese Mutual Assistance Association of San Diego on behalf of the refugee population.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A076-082, D450-476.)

MOTION BY MCCOLL TO ADOPT. Second by Roberts. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S401:

Two actions relative to commending the Labor Leader of the

Year and the Retired Labor Leader of the Year:

Subitem-A: (R-89-2408) ADOPTED AS RESOLUTION R-273596
Commending Doug Woodbury, 1989 Labor Leader of the Year,
for outstanding community service.

Subitem-B: (R-89-2409) ADOPTED AS RESOLUTION R-273597
Commending Tom Rodgers, 1989 Retired Labor Leader of the
Year, for outstanding community service.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-yea, Struiksma-not present, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S402: CONTINUED TO JUNE 12, 1989

Two actions relative to the Mira Mesa Facilities Benefit
Assessment:

(See City Manager Report CMR-89-240. Mira Mesa Community
Area. District-5.)

Subitem-A: (R-89-2268)
Approving the document entitled "Mira Mesa Public
Facilities Financing Plan and Facilities Benefit
Assessment, February, 1989".

Subitem-B: (R-89-2304)
Resolution of Intention to designate an area of benefit in
Mira Mesa and setting the time and place for holding a
public hearing.

COMMITTEE ACTION: Reviewed by TLU on 5/22/89.

Recommendation to accept the City Manager's input and refer to
the City Council with direction to the City Manager to address
Council Member Struiksma's recommendations regarding pedestrian
bridges, transit, open space acquisition and rehabilitation,
landscaping of center islands on streets, developing linkage
between Scranton Road and Linda Vista Sorrento Parkway.

Recommend that Council continue for one or two weeks to allow
Council Member Struiksma to be present at the Council meeting.

Districts 1, 2, 4 and 5 voted yea. District 8 not present.

FILE LOCATION: STRT - FB-12

COUNCIL ACTION: (Tape location: A097-114.)

MOTION BY ROBERTS TO CONTINUE FOR TWO WEEKS AT THE REQUEST OF COUNCIL MEMBER STRUIKSMA IN ACCORDANCE WITH TRANSPORTATION AND LAND USE COMMITTEE RECOMMENDATIONS. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S403:

Two actions relative to the North City West Public Facilities Financing Plan:
(See City Manager Report CMR-89-241. North City West Community Area. District-1.)

Subitem-A: (R-89-2310) ADOPTED AS RESOLUTION R-273598
Approving the document entitled "North City West Public Facilities Financing Plan and Facilities Benefit Assessment, March, 1989".

Subitem-B: (R-89-2311) ADOPTED AS RESOLUTION R-273599
Resolution of Intention to designate an area of benefit in North City West and setting the time and place for holding a public hearing.

COMMITTEE ACTION: Reviewed by TLU on 5/22/89.
Recommendation to approve the City Manager's recommendation.
Districts 1, 2, 4 and 5 voted yea. District 8 not present.

FILE LOCATION: STRT - FB-8

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY MCCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S404:

Two actions relative to the North University City Facilities Benefit Assessment:
(See City Manager Report CMR-89-239. North City West Community Area. District-1.)

Subitem-A: (R-89-2305) ADOPTED AS RESOLUTION R-273600
Approving the document entitled "North University City Public Facilities Financing Plan and Facilities Benefit Assessment, January, 1989".

Subitem-B: (R-89-2306) ADOPTED AS RESOLUTION R-273601

Resolution of Intention to designate an area of benefit in
North University City and setting the time and place for
holding a public hearing.

COMMITTEE ACTION: Reviewed by TLU on 5/22/89.

Recommendation to approve the City Manager's recommendation.

Districts 1, 2, 4, and 5 voted yea. District 8 not present.

FILE LOCATION: STRT - FB-1

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY MCCOLL TO ADOPT. Second by Pratt. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-yea, Struiksma-not present, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S405:

Two actions relative to the Penasquitos East Public
Facilities Financing Plan:

(See City Manager Report CMR-89-238. Penasquitos East
Community Area. District-1.)

Subitem-A: (R-89-2313) ADOPTED AS RESOLUTION R-273602

Approving the document entitled "Penasquitos East Public
Facilities Financing Plan and Facilities Benefit
Assessment, February, 1989."

Subitem-B: (R-89-2314) ADOPTED AS RESOLUTION R-273603

Resolution of Intention to designate an area of benefit in
Penasquitos East and setting the time and place for holding
a public hearing.

COMMITTEE ACTION: Reviewed by TLU on 5/22/89.

Recommendation to accept the City Manager's Report and refer the
item to Council with the following comments: to maintain last
year's target date for Black Mountain Road Bridge; reconcile all
F.B.A. and C.I.P. costs; upgrade the Canyon Site Park project;
and revise fees upward per the City Manager's statements.

Districts 1, 2, 4 and 5 voted yea. District 8 not present.

FILE LOCATION: STRT - FB-5

COUNCIL ACTION: (Tape location: B439-466.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Roberts. Passed by
the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea,
Pratt-yea, Struiksma-not present, Henderson-not present,
McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S406:

Two actions relative to the Sabre Springs Facilities Benefit Assessment:
(See City Manager Report CMR-89-243. Sabre Springs Community Area. District-1.)

Subitem-A: (R-89-2319) ADOPTED AS RESOLUTION R-273604
Approving the document entitled "Sabre Springs Public Facilities Financing Plan and Facilities Benefit Assessment, April, 1989".

Subitem-B: (R-89-2320) ADOPTED AS RESOLUTION R-273605
Resolution of Intention to designate an area of benefit in Sabre Springs and setting the time and place for holding a public hearing.

COMMITTEE ACTION: Reviewed by TLU on 5/22/89.
Recommendation to approve the City Manager's recommendation.
The Committee also directed review of Projects 29 and 30 which will result in increases to the fee structure; and requested itemization of contingency funding for all projects. Districts 1, 2, 4 and 5 voted yea. District 8 not present.

FILE LOCATION: STRT - FB-9

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S407:

Two actions relative to the Tierrasanta Facilities Benefit Assessment:
(See City Manager Report CMR-89-244. Located east of I-15 and north of Friars Road. Tierrasanta Community Area. District-7.)

Subitem-A: (R-89-2316) ADOPTED AS RESOLUTION R-273606
Approving the document entitled "Tierrasanta Public Facilities Financing Plan and Facilities Benefit Assessment, January, 1989".

Subitem-B: (R-89-2317) ADOPTED AS RESOLUTION R-273607
Resolution of Intention to designate an area of benefit in Tierrasanta and setting the time and place for holding a public hearing.

COMMITTEE ACTION: Reviewed by TLU on 5/22/89.

Recommendation to approve the City Manager's recommendation.

Districts 1, 2, 4 and 5 voted ye. District 8 not present.

FILE LOCATION: STRT - FB-10

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-ye, Roberts-ye, McColl-ye, Pratt-ye, Struiksma-not present, Henderson-not present, McCarty-ye, Filner-ye, Mayor O'Connor-ye.

* ITEM-S408: (R-89-2083) ADOPTED AS RESOLUTION R-273608

Establishing Council Policy 800-12 entitled "Accelerated Turnkey Development by Private Parties of Public Facilities".

(See City Manager Report CMR-89-204.)

COMMITTEE ACTION: Reviewed by TLU on 5/22/89.

Recommendation to approve the City Manager's recommendation for the Council Policy on turnkey projects. Districts 1, 2, 4 and 5 voted ye. District 8 not present.

FILE LOCATION: MEET

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-ye, Roberts-ye, McColl-ye, Pratt-ye, Struiksma-not present, Henderson-not present, McCarty-ye, Filner-ye, Mayor O'Connor-ye.

* ITEM-S409: (R-89-2390) ADOPTED AS RESOLUTION R-273609

A Resolution approved by the City Council in Closed Session on Tuesday, May 23, 1989 by the following vote:

Wolfsheimer-ye; Roberts-ye; McColl-not present;

Pratt-ye; Struiksma-ye; Henderson-ye; McCarty-not present; Filner-not present; Mayor-ye.

Authorizing settlement of the Superior Court Case No. 597852 (City of San Diego v. Eugene Place Associates, et al.); authorizing the City Manager to pay the total sum of \$130,000, plus interest at the rate of 10 percent from and including April 21, 1989, for the purchase of property acquired by the City of San Diego for the purpose of preservation of open space in the Eugene Place Open Space Project; declaring that the sum of \$90,000 has already been deposited with the County Treasurer in accordance with the above eminent domain action; \$53,682.78 has been withdrawn by San Dieguito National Bank; \$36,317.14 has

been withdrawn by Eugene Place Associates, Richard G. Collins, Paul Brown, aka Paul Douglas Brown, The C. Weston Company, Clifford W. La Monte, Jan Anton Enterprises, Albert V. La Monte, Jr., Helen G. La Monte, Shardemy, Inc., James Patrick Cavanagh, Dorothy Carolyn Cavanagh, and Sandra Lee Brown; authorizing the City Auditor and Controller to pay an additional \$39,071.22, plus interest at the rate of 10 percent, and to pay \$928.78 to the County Treasurer-Tax Collector for 1987 taxes and penalties; authorizing the City Auditor and Controller to use the available funds for the acquisition from the Open Space Bond Fund 79104; declaring that the expenditure of said amounts totalling the sum of \$130,000, plus interest at the rate of 10 percent from and including April 21, 1989, is for the settlement of the eminent domain action, constituting full payment for the parcel and for all damages of every kind and nature suffered or to be suffered by reason of the acquisition of said parcel.

(Uptown Community Area. District-3.)

CITY MANAGER SUPPORTING INFORMATION: On March 17, 1989 the City Attorney's office reached an out-of-court settlement in Superior Court Case 597852, City of San Diego versus Eugene Place Associates, for the total sum of \$130,000. This settlement was the result of the condemnation action filed by the City as directed in Resolution R-270060 dated January 4, 1988.

Aud. Cert. 8900992.

FILE LOCATION: STRT - OS-15

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

* ITEM-S410: (R-89-2196) ADOPTED AS RESOLUTION R-273610

Authorizing the City Manager to consent to the assignment of that certain lease agreement dated July 6, 1954, as amended, from Mission Bay Golf Center, to Associated Mobile Estates, affecting the property commonly known as Mission Bay Golf Center, 2702 North Mission Bay Drive.

(Mission Bay Community Area. District-6.)

COMMITTEE ACTION: Reviewed by PFR on 5/24/89.

Recommendation to authorize the City Manager to consent to the assignment of the lease. Districts 1, 5, 6 and 7 voted yea.

District 8 not present.

CITY MANAGER SUPPORTING INFORMATION: Mission Bay Golf Center has entered into an escrow to sell its leasehold interest to Associated Mobile Estates (AME), assignee (an affiliate of De Anza Corporation), which operates Campland on the Bay and De Anza Harbor Mobile Estates. The leasehold contains an 18-hole, executive-type golf course with a restaurant, driving range and pro shop situated on approximately 45 acres in the northeast portion of Mission Bay. The lease was executed in July 1959 and has 12 years remaining on the term. Although the City Manager may normally approve assignments of leasehold interest, this particular assignment requires Council action due to limitations in the assignment provision of the lease. It requires that James Moeller, the principal partner in Mission Bay Golf Center, retain a 45 percent interest in the lease for the entire lease term. Mr. Moeller wishes to retire and sell his interest in the premises to AME. We have reviewed AME's financial statement and are satisfied that they are qualified and capable of operating the golf course in a satisfactory manner. The golf course needs to be improved and the assignee is working with staff to upgrade the course and facilities which should result in increased revenues to the City.

FILE LOCATION: LEAS - Associated Mobile Estates
LEASFY89-1

COUNCIL ACTION: (Tape location: A163-194.)

CONSENT MOTION BY McCOLL TO ADOPT. Second by Pratt. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S411: (O-89-225) CONTINUED TO JUNE 12, 1989

(Continued from the meeting of May 22, 1989, Item 211, at Mayor O'Connor's request, for further review.)

First public hearing in the matter of:

Amending Ordinance No. O-17122 (New Series), as amended, entitled "An Ordinance Adopting the Annual Budget for the Fiscal Year 1988-89 and Appropriating the Necessary Money to Operate the City of San Diego for said Fiscal Year" by amending Document No. OO-17122-1, as amended and adopted therein, by amending the personnel authorization of the Intergovernmental Relations Department (015) by authorizing one new Council Representative II position; deleting one Intermediate Stenographer position; exempting the newly authorized Council Representative II position

from the Classified Service, and establishing a salary rate therefor.

(See memorandum from Personnel Director dated 5/11/89 and memorandum from Benjamin F. Dillingham III dated 4/24/89.)

NOTE: The second public hearing for the introduction and adoption of the Ordinance will be held on Monday, June 5, 1989.

FILE LOCATION: - -

COUNCIL ACTION: (Tape location: A097-114.)

MOTION BY ROBERTS TO CONTINUE FOR TWO WEEKS AT THE REQUEST OF MAYOR O'CONNOR. Second by Pratt. Passed by the following vote:

Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea,
Struiksma-not present, Henderson-not present, McCarty-yea,
Filner-yea, Mayor O'Connor-yea.

ITEM-S412: (R-89-1986) ADOPTED AS RESOLUTION R-273619

19890530

(Continued from the meeting of May 22, 1989, Item 111, at the City Manager's request, to confer with the Attorney to discuss the feasibility of rejecting bids non-inclusive of the parking lot to allow improvements to the parking lot to begin.)

Rejecting the bids received on March 15, 1989 for Standley Community Park Additional Improvements (BID-0425/89A); inviting bids for the above work; authorizing the City Manager to execute a contract with the lowest responsible bidder.

(University Community Area. District-1.)

CITY MANAGER SUPPORTING INFORMATION: Bids for the Standley Community Park Additional Improvements project were opened on March 15, 1989. Four valid bids were received. The lowest bid was \$50,500 (31.8 percent) over the estimate of \$158,700. An analysis of the bids indicates that the consultant's estimate was low on all the items of work. Redesign of the plans would not produce significantly lower bids. Some of the work must be deleted. The Park and Recreation Department has met with the University City Recreation Council to obtain their input on prioritization of the work. The bid proposal will be modified to provide deductive alternates reflecting the community's prioritization. This will enable us to provide the maximum improvement that the project budget will allow.

FILE LOCATION: W.O. 118896 CONT - Tri-Core Construction

COUNCIL ACTION: (Tape location: G250-324.)

MOTION BY WOLFSHEIMER TO ADOPT. Second by Pratt. Passed by the

following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-yea, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S413: (R-89-2373) ADOPTED AS RESOLUTION R-273614

(Continued from the meeting of May 23, 1989, Item 330, at Council Member McCarty's request, to review the documentation presented.)

Approving an integrated master settlement agreement between the City and AVCO Community Developers, Inc., which:

- 1) Settles Litigation now pending in the United States District Court for the Southern District of California, entitled AVCO Community Developers, Inc., v. City of San Diego, et al., Case-88-0488-B(BTM) (The Ridgeway Lawsuit");
- 2) Settles portions of litigation now pending in the Superior Court of the State of California for the County of San Diego, entitled Benson v. AVCO Community Developers, Inc., et al., Case-543950;
- 3) Confirms the status of certain Development Entitlements for AVCO and the present owner of real property located at Rancho Bernardo known as Bernardo Vista Del Lago; and
- 4) A final accounting and Resolution and disposition of all claims between Avco and the City arising out of the agreement entitled "Agreement between the City and AVCO Community Developers, Inc., relating to the Construction of Sewage Collection, Sewage Treatment and Disposal, and Water Reclamation Facilities," dated April 6, 1972 and amended July 12, 1982, Document Nos. 739703 and RR-256761, in Rancho Bernardo.

Authorizing the expenditure of an amount not to exceed \$805,689 from Fund No. 41506, CIP-46-141.0, for the purpose of providing funds for the above settlement agreement.

Aud. Cert. 8900999.

FILE LOCATION: MEET CONFY89-1

COUNCIL ACTION: (Tape location: A194-B346; D320-410.)

Motion by Wolfsheimer to deny the agreement and return it to the City Manager to separate the following issues: 1) the personal injury, 2) the land use issue; and the other unrelated matters.

No second.

MOTION BY HENDERSON TO ADOPT THE STAFF RECOMMENDATION. Second by Roberts. Passed by the following vote: Wolfsheimer-nay, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present,

Henderson-yea, McCarty-yea, Filner-nay, Mayor O'Connor-yea.

ITEM-S414:

Two actions relative to Wilson Middle School:
(Mid-City Community Area. District-3.)

Subitem-A: (R-89-2371) ADOPTED AS RESOLUTION R-273611

Authorizing the execution of a 25-year lease agreement with the San Diego Unified School District for the lease, development and maintenance of a portion of Wilson Middle School Site for Park and Recreation Department purposes; adding CIP-29-698, Wilson Middle School-Turfing to the 1989 Capital Improvement Program; authorizing the City Auditor and Comptroller to transfer an amount not to exceed \$400,000 from CDBG Fund No. 18525 to CIP-29-698, Wilson Middle School-Turfing; authorizing the expenditure of an amount not to exceed \$400,000 from CIP-29-698, CDBG Fund 18525, for the purpose of providing funds for designing and constructing turf improvement at Wilson Middle School; authorizing the City Auditor and Comptroller to remit unexpended funds, if any, to the appropriate reserves upon advice of the administering department; requesting the San Diego Unified School District to administer contracts for the design and construction of turf and irrigation improvements at Wilson Middle School in an amount not to exceed \$400,000.

Subitem-B: (R-89-2392) ADOPTED AS RESOLUTION R-273612

Certifying that the information contained in Environmental Negative Declaration END-88-1096, in connection with turf improvements at Wilson Middle School, has been completed in compliance with the California Environmental Quality act of 1970, as amended, and State guidelines, and that said Declaration has been reviewed and considered by the Council.

CITY MANAGER SUPPORTING INFORMATION: The proposed lease agreement provides for a 25-year no-fee joint use facility at Wilson Middle School. The terms of the agreement allow for the development, operation and maintenance of an irrigated, turfed four acre multi-use playing field. To expedite construction and have the area operational prior to the new school term in September 1989, the San Diego Unified School District will administer the contracts for design and construction of this project. Subject to Council approved, the District will

administer the contracts using the District's competitive bidding procedures. Unexpended funds, if any, remaining after completion of the construction will be returned to the City.
Aud. Cert. 8901002.

FILE LOCATION: LEAS - San Diego Unified School District
LEASFY89-1

COUNCIL ACTION: (Tape location: B346-375.)

MOTION BY McCOLL TO ADOPT. Second by McCarty. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-S415: CONTINUED TO AUGUST 1, 1989 AT 10:00 A.M.

Two actions relative to the Scripps Miramar Ranch -
Facilities Benefit Assessment:

(See City Manager Report CMR-89-242. Scripps Miramar Ranch Community Area. District-5.)

Subitem-A: (R-89-2265)

Approving the document entitled "Scripps Miramar Ranch Public Facilities Financing Plan and Facilities Benefit Assessment, February, 1989".

Subitem-B: (R-89-2266)

Resolution of Intention to designate an area of benefit in Scripps Miramar Ranch and setting the time and place for holding a public hearing.

COMMITTEE ACTION: Reviewed by TLU on 5/22/89.

Recommendation to continue for 60 days pending Council action on applicable policy amendments regarding parks and open space financing. Districts 1, 2, 4 and 5 voted yea. District 8 not present.

FILE LOCATION: STRT - FB-11

COUNCIL ACTION: (Tape location: A114-122.)

MOTION BY ROBERTS TO CONTINUE FOR SIXTY DAYS AT THE REQUEST OF COUNCIL MEMBER STRUIKSMA IN ACCORDANCE WITH TRANSPORTATION AND LAND USE COMMITTEE RECOMMENDATIONS. Second by Filner. Passed by the following vote: Wolfsheimer-yea, Roberts-yea, McColl-yea, Pratt-yea, Struiksma-not present, Henderson-not present, McCarty-yea, Filner-yea, Mayor O'Connor-yea.

ITEM-CS-1: (R-89-2302) ADOPTED AS RESOLUTION R-273613

A Resolution adopted by the City Council in Closed Session

on May 30, 1989:

Authorizing settlement of a property damage claim to
Goodwill Industries in the amount of \$75,632.92.

Authorizing the City Auditor and Comptroller to issue two
checks, one in the amount of \$48,643.76 made payable to
Goodwill Industries, and one in the amount of \$26,989.16
made payable to Luth and Turley, Inc.

FILE LOCATION: MEET

NON-DOCKET ITEMS:

None.

COUNCIL COMMENT:

None.

PUBLIC COMMENT:

None.

ADJOURNMENT:

The meeting was adjourned by Deputy Mayor McCarty at 5:50
p.m. in honor of the memory of George T. Simpson.

FILE LOCATION: AGENDA

COUNCIL ACTION: (Tape location: H442).